

Supplemental Office Action

This office action is being sent out to confirm that the IDS of 7/31/2006 was considered.

Currently amended claims 17, 19, 36-37, 39-40, and 42-53 are pending and in condition for allowance.

Allowable Subject Matter

The following is an examiner's statement of reasons for allowance:

The claims in this application have been allowed because the prior art of record fails to disclose either singly or in combination the claimed catheter for use in performing a medical procedure with "a plurality of openings, wherein at least one of said openings is formed on said sidewall at an acute angle with respect to a longitudinal axis of said distal end... and wherein said openings are arranged such that forces resulting from fluid flow out of said openings and from fluid flow out of said elastic restrictor are substantially balanced in both axial and radial direction with respect to the longitudinal axis of the distal end of the tubular structure. The catheter including these balanced openings and restrictor of the claimed elements have not been found in the prior art of record.

The closest prior art of record is Kinoshita et al. (U.S. Patent Number 6,280,434), however this reference does not disclose the catheter as claimed specifically the plurality of openings formed on the sidewall at acute angle with respect to a longitudinal axis of the distal end. Futher reasons for allowance have also been stated in the applicant's remarks of 7/28/2009 paragraph remarks at pages 7-8 concerning the securing abutments and distinguishing it from Wallace.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phillip Gray whose telephone number is (571)272-7180. The examiner can normally be reached on Monday through Friday, 8:30 a.m. to 4:30 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin Sirmons can be reached on (571) 272-4965. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Phillip Gray/

Art Unit: 3767

Examiner, Art Unit 3767

/Kevin C. Sirmons/

Supervisory Patent Examiner, Art Unit 3767